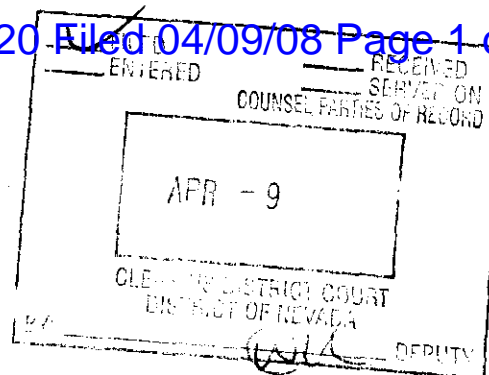


STACEY SIMON (Cal. State Bar No. 203987)  
Deputy County Counsel  
Mono County, California  
452 Old Mammoth Road, Suite J-3  
P.O. Box 2415  
Mammoth Lakes, CA 93546  
Telephone: 760-924-1700  
Facsimile: 760-924-1701



DONALD B. MOONEY (Cal State Bar No. 153721)  
Law Offices of Donald B. Mooney  
129 C Street, Suite 2  
Davis, California 95616  
Telephone: 530-758-2377  
Facsimile: 530-758-7169

Attorneys for Defendant  
MONO COUNTY, California

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA )

Plaintiff, )

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor, )

vs. )

WALKER RIVER IRRIGATION )  
DISTRICT, a corporation, et. al. )

Defendants )

IN EQUITY NO. C-125-ECR  
Subproceedings: C-125-B and C-125-C

VERIFIED PETITION FOR PERMISSION  
TO PRACTICE IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED TO THE  
BAR OF THIS COURT

**VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY**

Donald B. Mooney, Petitioner, respectfully represents to the Court:

That Petitioner is not a member of the Bar of this Court or a member of the State Bar of Nevada;

That Petitioner is not a resident of the State of Nevada;

That Petitioner resides at 3909 Wintun Place, Davis, California 95618;

1 That Petitioner is not engaged in substantial business, professional, or other activities in  
2 the State of Nevada;

3 That Petitioner is an attorney at law retained by the County of Mono, a political  
4 subdivision of the State of California;

5 That the County of Mono's offices are at 452 Old Mammoth Road, Mammoth Lakes,  
6 California 93546;

7 That Petitioner's law office is located at Law Offices of Donald B. Mooney, 129 C Street,  
8 Suite 2, Davis, California 95616.

9 That Petitioner represents the County of Mono in connection with the above-entitled case  
10 now pending before this Court;

11 That Petitioner has been retained by Mono County to assist Stacey Simon, Deputy  
12 County Counsel, who has been admitted to this Court for this case, but has taken maternity  
13 leave upon the birth of her child;

14 That since July 10, 1991, Petitioner has been and presently is a member in good standing  
15 of the bar of the higher Court of the State of California where Petitioner regularly practices  
16 law;

17 That since August 10, 1992, Petitioner has been and presently is a member in good  
18 standing of the United States Court of Appeals, Ninth Circuit;

19 That since December 19, 1991, Petitioner has been and presently is a member in good  
20 standing of the United States District Court for the Eastern District of California;

21 That since May 23, 2000, Petitioner has been and presently is a member in good standing  
22 of the United States District for the Central District of California;

23 That since April 2, 2001, Petitioner has been and presently is a member in good standing  
24 of the United States District Court for the Northern District of California;

25 That no disbarment proceedings are presently pending nor have disbarment proceedings  
26 ever been instituted against petitioner; nor has any certificate or privilege to appear and  
27 practice before any regulatory administrative body ever been suspended or revoked;

1 That neither through resignation, withdrawal, or otherwise, has Petitioner terminated or  
2 attempted to terminate Petitioner's office as an attorney in order to avoid administrative  
3 disciplinary or disbarment proceedings;

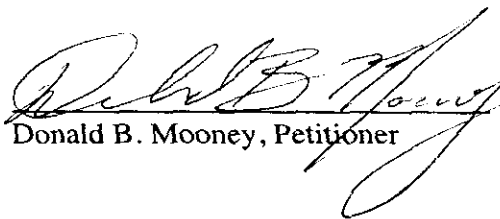
4 That Petitioner has not appeared in any matter, including arbitrations, mediations, or  
5 matters before an administrative agency or governmental body, in which the attorney or any  
6 member of the firm of attorneys with which Petitioner is associated has filed an application to  
7 appear as counsel under this rule in the preceding three (3) years;

8 That Petitioner certifies that he shall be subject to the jurisdiction of the courts and  
9 disciplinary boards of the State of Nevada with the respect to the law of the State of Nevada  
10 governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada;  
11 and

12 That Petitioner understands and shall comply with the standards of professional conduct  
13 of the State of Nevada and all other standards of professional conduct required of members of  
14 the bar of this Court;

15 That Petitioner respectfully prays that he be admitted to practice before this Court FOR  
16 PURPOSES OF THIS CASE ONLY.

17 DATED: April 8, 2008


18   
19 Donald B. Mooney, Petitioner  
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VERIFICATION

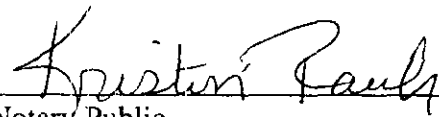
STATE OF CALIFORNIA )  
YOLO COUNTY )

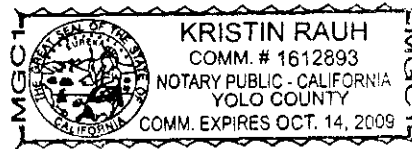
DONALD B. MOONEY, Petitioner, being first duly sworn, deposes and says:

THAT the foregoing statements are true.

  
DONALD B. MOONEY, Petitioner

Subscribed and sworn before me this 8<sup>th</sup> day of April, 2008

  
Notary Public



**ORDER**

The verified Petition of DONALD B. MOONEY to practice in this case only is approved.

Dated: April \_\_, 2008

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UNITED STATES DISTRICT JUDGE

Certificate of Service

I am employed in the County of Yolo; my business address is 129 C Street, Suite 2 Davis, California; I am over the age of 18 years and not a party to the foregoing action. On April 8, 2008 I served a copy of the foregoing **VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY ATTORNEY NOT ADMITTED TO THE BAR OF THIS COURT** by placing said document in the U.S. Mail, postage prepaid, addressed to:

Greg Addington  
Assistant U.S. Attorney  
100 W. Liberty St.  
Suite 600  
Reno NV 89509

George N. Benesch  
P.O. Box 3498  
Reno NV 89505-3498

Gordon H. DePaoli/Dale E. Ferguson  
Woodburn & Wedge  
6100 Neil Road, Suite 500  
P.O. Box 2311  
Reno NV 89511

Simeon M. Herskovits  
Advocates for Community Environment  
129-C Kit Carson Road  
Taos NM 87571

John W. Howard  
625 Broadway, Ste. 1205  
San Diego CA 92101

Erin K.L. Mahaney  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor  
Sacramento CA 95814

Cheri Emm-Smith  
Mineral Co. Dist. Atty.  
P.O. Box 1210  
Hawthorne NV 89415

William E. Schaeffer  
P.O. Box 936  
Battle Mountain NV 89820

David L. Negri  
U.S. Dept. Justice  
Env. & Natural Resources Division  
161 E. Mallard Dr., Ste. A  
Boise ID 83706

Michael W. Neville  
California Attorney General's Office  
455 Golden Gate Ave.  
Suite 11000  
San Francisco CA 94102-3664

Karen A. Peterson  
Allison MacKenzie Pavalkis  
Wright & Fagan, Ltd.  
402 N. Division St., P.O. Box 646  
Carson City NV 89702

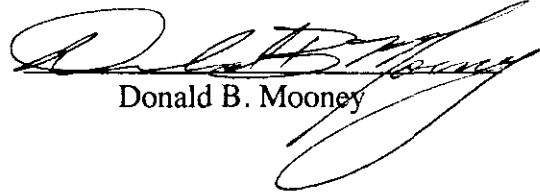
Laura A. Schroeder  
Schroeder Law Offices, P.C.  
1915 N.E. 39<sup>th</sup> Ave., 12527  
Portland OR 97212

Wes Williams, Jr.  
P.O. Box 100  
Schurz NV 89427

Susan L. Schneider  
U.S. Dept. of Justice  
Env. & Natural Resources Division  
1961 Stout St., 8<sup>th</sup> Floor  
Denver CO 80294

Catherine Cortez Masto  
Senior Deputy Attorney General  
100 N. Carson St.  
Carson City NV 98701

I declare under penalty of perjury that the foregoing is true and correct. Executed April 8, 2008, at Davis, California.

A handwritten signature in black ink, appearing to read "Donald B. Mooney", is written over a horizontal line.

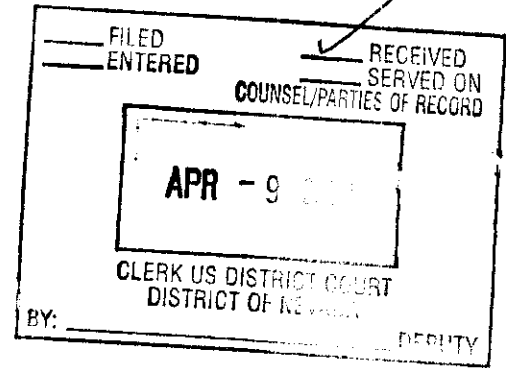
Donald B. Mooney

DONALD B. MOONEY

129 C Street, Suite 2  
Davis, California 95616  
Telephone: (530) 758-2377  
Facsimile: (530) 758-7169  
dbmooney@dcn.org

April 8, 2008

Clerk of the Court  
United States District Court  
District of Nevada  
400 S. Virginia Street  
Reno, NV 89501



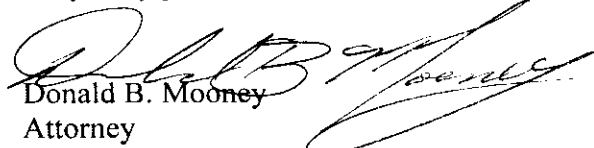
Re: *In Equity No. C-125-ECR, subproceedings C-125-B and C-125-C*

Dear Clerk of the Court:

Enclosed is Donald B. Mooney's *Verified Petition for Permission to Practice in this Case Only by Attorney Not Admitted to the Bar of this Court* filed on behalf of Mono County. The attorney of record for Mono County in this matter is on maternity leave and I have been retained by Mono County to represent the County during her absence. I have also enclosed a check in the amount of \$175 as the filing fee for the *Verified Petition for Permission to Practice*.

The *Verified Petition* also has an attached [proposed] Order for the Court's review and consideration. Please do not hesitate to call me if you have any questions regarding this matter.

Very truly yours,

  
Donald B. Mooney  
Attorney